

FILED

OCT 27 2021

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA)

v.)

JOHN DAVID TWOMEY)

CR. NO.)

1:21 CR 452-ECM-JTA
[18 U.S.C. § 2423(a)]) INDICTMENT

The Grand Jury charges:

COUNT 1

(Transportation of Minors)

On or about October 3, 2021 in the Middle District of Alabama, the defendant,

JOHN DAVID TWOMEY,

did knowingly transport an individual who had not attained the age of 18 years, to wit: Minor Victim 1, in interstate and foreign commerce, to wit: between the State of Alabama and the State of Texas, with intent that the individual engage in sexual activity for which any person can be charged with a criminal offense, including, Rape in the Second Degree and/or Sexual Assault which were criminal offenses under Alabama Code § 13A-6-62 and Texas Penal Code Ann. § 22.011, in violation of Title 18, United States Code, Section 2423(a).

FORFEITURE ALLEGATION

A. The allegations contained in Count 1 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 2428(a)(1); and Title 26, United States Code, Section 2461.

B. Upon conviction of the offenses in violation of Title 18, United States Code, Section 2423(a), set forth in Count 1 of this Indictment, the defendant,

JOHN DAVID TWOMEY,

shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 2428(a)(1); and Title 26, United States Code, Section 2461, any property, real or personal, involved in such offense, or any property traceable to such property; and any property constituting, or derived from, proceeds the person obtained directly or indirectly, as the result of such violation.

C. If any of the property described in this forfeiture allegation, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third party;
- (3) has been placed beyond the jurisdiction of the court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be divided without difficulty,

the United States shall be entitled to forfeiture of substitute property pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 28, United States Code, Section 2461(c).

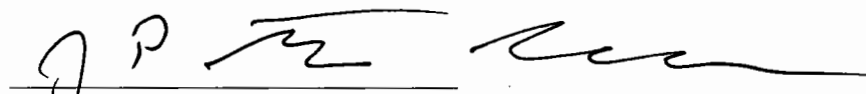
All pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and 2428(a)(1); and
Title 26, United States Code, Section 2461.

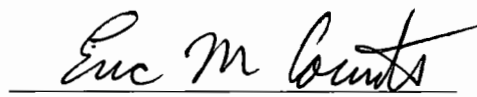
A TRUE BILL:



Foreperson

SANDRA J. STEWART
ACTING UNITED STATES ATTORNEY



J. Patrick Lamb
Assistant United States Attorney

Eric M. Counts
Assistant United States Attorney